

JAN 16 2007

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed July 14, 2006, the Examiner Interview of November 8, 2006, and the Examiner's Interview Summary of November 14, 2006. Applicants acknowledge with thanks Examiner Hashem's assistance in granting an interview on November 8, 2006, during the course of which interview various features of the claimed embodiments were discussed, the substance of which is included herein.

Claims 1-41 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-41. The present Reply amends claims 1, 9, 19, 23, 27 and 35-36, and cancels claim 10, leaving for the Examiner's present consideration claims 1-9, and 11-41. Reconsideration of the rejections is respectfully requested.

I. Claim Objections and Rejections

1. Claim 35 was objected to because of informalities.
2. Claim 36 was rejected under 35 U.S.C. 112.
3. Claims 1-8 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,366,578 by Johnson, in view of U.S. Patent No. 5,764,748 by Rosenthal.
4. Claims 9-12 and 14-18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Rosenthal.
5. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Rosenthal, as applied to claim 9 above, and in further view, of U.S. Patent No. 5,894,504 by Alfred, *et al.*
6. Claims 19-22 were rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,941,342 by Nelson in view of Johnson.
7. Claims 23-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Rosenthal.
8. Claims 27-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Rosenthal.
9. Claims 35-41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson, in view of Rosenthal.

II. Response to Rejections

The claims were amended to more clearly define an embodiment of Applicants' invention. Claim 1 as amended states:

1. A method for a user to communicate over multiple channels, comprising the steps of:
 - (a) communicating over a first channel; and
 - (b) initiating a new communication by performing the following steps:
 - (1) selecting a second channel;
 - (2) selecting a phrase which can be predefined, recorded as needed, or synthetically generated on demand;
 - (3) generating an audible utterance representative of the selected phrase; and
 - (4) providing the audible utterance over the selected second channel only while communicating over the first channel simultaneously.

Claim 1 defines a method for a user to communicate different audible messages to different people simultaneously.

Johnson (U.S. Patent No. 6,366,578) discloses a switchboard office attendant program which allows a user to switch calls, page recipients, and route calls. The switchboard office attendant in Johnson can talk on the phone to one person while sending an electronic message through her office attendant program (essentially a graphical user interface software application on a computer).

There are several differences between Claim 1 and Johnson. Johnson describes a switchboard office attendant program. Claim 1 defines simultaneous communication over both channels. In Johnson, the office attendant can verbally communicate to a second party while sending an electronic message to a third party, but the office attendant can't send an audible utterance to the third party or hear an audible response from the third party.

Rosenthal (U.S. Patent No. 5,764,748) discloses an enhanced call waiting feature. Rosenthal discloses a text to speech conversion where the user presses a number on the phone and the number is used to choose a message, or to specify a length of time for the caller to call back later.

There are several differences between Claim 1 and Rosenthal. Applicants' invention allows simultaneous communication over both channels. In Rosenthal, communication either occurs to one party while the other party is on hold, or the communication is a limited subset of

messages such as call back at a later time. In claim 1, the audible message can be predefined, recorded as needed, or synthetically generated on demand.

For the reasons stated above as well as the reasoning discussed in the November 8, 2006 Examiner Interview, Applicants respectfully submit that the embodiment as defined in Claim 1 is patentable. Independent claims 9, 19, 23, 27, and 35 are believed to be patentable for reasons similar to those discussed above for claim 1. For similar reasons, dependent claims 2-8, 11-18, 20-22, 24-26, 28-34, and 36-41 are also believed to be patentable. It is also submitted that claims 2-9, 11-41 also add their own limitations which render them patentable in their own right. Applicants reserve the right to argue these limitations should it become necessary in the future.

Conclusion

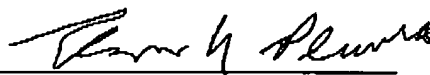
In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136 for extending the time to respond up to and including January 16, 2007.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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